

Linda MacLeod, CA State Bar No. 142023  
**MORGAN, FRANICH, FREDKIN & MARSH**  
99 Almaden Boulevard, Suite 1000  
San Jose, California 95113  
Telephone: (408) 288-8288  
Facsimile: (408) 288-8325

\* E-filed 7/28/06 \*

Jeffrey J. Bouslog, *Appearing Pro Hac Vice*  
Katherine M. Wilhoit, *Appearing Pro Hac Vice*  
**OPPENHEIMER WOLFF & DONNELLY LLP**  
45 South Seventh Street, Suite 3300  
Minneapolis, Minnesota 55402  
Telephone: (612) 607-7000  
Facsimile: (612) 607-7100

Attorneys for Plaintiff  
KLA-TENCOR CORPORATION

Stephen Ellingson, CA State Bar No. 136505  
**HAYES, DAVIS, ELLINGSON, MCLAY & SCOTT, LLP**  
203 Redwood Shores Parkway, 4th Floor  
Redwood Shores, California 94065  
Telephone: (650) 637-9100  
Facsimile: (650) 637-8071

Attorneys for Defendants  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA, AND  
AIU INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KLA-TENCOR CORPORATION, a Delaware  
corporation,

Case No. C 05-03092 RMW

Plaintiff,

vs.

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA, a New  
York corporation, AIU INSURANCE  
COMPANY, a New York corporation,

Defendants.

**STIPULATION & ORDER  
TO MOVE HEARING DATES**

WHEREAS the hearing on National Union Fire Insurance Company of Pittsburgh, PA's ("National Union") Motion for Leave to File an Amended Answer to Include the Counterclaim for Declaratory Relief and Reimbursement is noticed for August 4, 2006;

WHEREAS the hearing on National Union's Motion to Exclude Evidence of KLA's Belated Supplemental Discovery Responses or, in the Alternative, Continue the Court's Scheduling Order and Grant Leave to File an Amended Answer to the Complaint is noticed for August 4, 2006;

WHEREAS National Union and AIU Insurance Company's and KLA-Tencor Corporation's opposing motions for summary judgment are noticed for August 18, 2006;

WHEREAS the parties would like to consolidate the hearing dates and motion practice before the court.

NOW WHEREFORE the parties to the above-captioned matter, through their undersigned counsel, stipulate:

1. The hearing date on National Union's Motion for Leave to File an Amended Answer to Include the Counterclaim for Declaratory Relief and Reimbursement can be moved and will be heard on August 18, 2006, or at the earliest convenience of the court thereafter.

2. The hearing date on National Union's National Union's Motion to Exclude Evidence of KLA's Belated Supplemental Discovery Responses or, in the Alternative, Continue the Court's Scheduling Order and Grant Leave to File an Amended Answer to the Complaint can be moved and will be heard on August 18, 2006, or at the earliest convenience of the court thereafter.

3. National Union will file amended Notices for these hearings with the Court.

Dated: July 25, 2006

By: s:/ Jeffrey J. Bouslog  
 Jeffrey J. Bouslog, MN State Bar No. 174671  
 Katherine M. Wilhoit, MN State Bar No. 030380X  
**OPPENHEIMER WOLFF & DONNELLY, LLP**

And

Linda McLeod, CA State Bar No. 142023  
**MORGAN, FRANICH, FREDKIN & MARSH**

**ATTORNEYS FOR PLAINTIFF  
 KLA-TENCOR CORPORATION**

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2  
3 Dated: July 25, 2006

By: s:/ Stephen Ellingson  
Stephen Ellingson, CA State Bar No. 136505  
**HAYES, DAVIS, ELLINGSON, MCLAY &  
SCOTT, LLP**

5 **ATTORNEYS FOR DEFENDANTS NATIONAL**  
6 **UNION FIRE INSURANCE COMPANY OF**  
7 **PITTSBURGH, PA, AND AIU INSURANCE**  
8 **COMPANY**

9  
10 Pursuant to stipulation, IT IS SO ORDERED. The court, may,  
11 however, rule on fully-briefed motions without oral argument.

12  
13 DATED: 7/28/06



Ronald M. Whyte

United States District Judge